

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/6/2020

-----X  
NAGIBE AL-HAJ,

Plaintiff,

-against-

KIRBY FORENSIC PSYCHIATRIC CENTER  
O-M-H,

Defendant.  
-----X

19 Civ. 6072 (LGS)

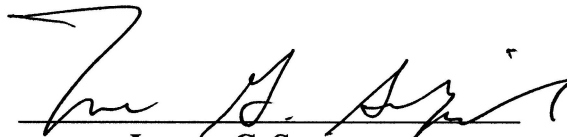
ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Court is in receipt of Plaintiff's attached Second Amended Complaint ("SAC"), which Plaintiff mailed to Chambers. It is hereby

**ORDERED** that the SAC is deemed timely filed as of today, January 6, 2020. The Clerk of Court is respectfully directed to: (1) to designate the attached SAC as the "Second Amended Complaint" on the docket and (2) to mail a copy of this Order to pro se Plaintiff.

Dated: January 6, 2020  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
2019 DEC 26 AM 9:35  
CLERK'S OFFICE  
U.S. COURT OF APPEALS

Nagibe Alhas

Write the full name of each plaintiff.

No. 19 cv 06072  
(To be filled out by Clerk's Office)

**SECOND  
AMENDED  
COMPLAINT**  
(Prisoner)

-against-

Shanteal Watkins

Ronald Laporte Richard

Akuamogh Dabel Duvert lepinanse

Senior taler And Dr mosat

Do you want a jury trial?  
☐ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☐ Violation of my federal constitutional rights

☒ Other: \_\_\_\_\_

## II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Najib H Alhaj  
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

702 287  
Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Kirby F-P-C center  
Current Place of Detention

600 East 125th Street  
Institutional Address

New York, New York 20035-6095  
County, City State Zip Code

## III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☒ Other: R-F-P-C-

Kirby FOREIGN psychiatric  
ward's center  
Island complex  
600 East 125th Street  
New York, NY 10035 646-672 6819

## IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1: shantea watking SHTA  
 First Name Last Name Shield #  
SHTA  
 Current Job Title (or other identifying information)  
R-F-P-C om H  
 Current Work Address  
600 East 125th St New York, NY 10035  
 County, City State Zip Code

Defendant 2: Ronald Laporte SHTA  
 First Name Last Name Shield #  
SHTA  
 Current Job Title (or other identifying information)  
R-F-P-C om H  
 Current Work Address  
600 East 125th St NY NY 10035  
 County, City State Zip Code

Defendant 3: senior SHTA Richard Akpanoah  
 First Name Last Name Shield #  
R-F-P-C  
 Current Job Title (or other identifying information)  
600 East 125th St  
 Current Work Address  
New York, New York 10035  
 County, City State Zip Code

Defendant 4: SHTA Ronald Laporte  
 First Name Last Name Shield #  
Dr Mosat - senior + elec.  
 Current Job Title (or other identifying information)  
600 East 125th St rent  
 Current Work Address  
New York, New York 10035  
 County, City State Zip Code

## VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

12/17/2019  
 Dated

Nasibe Alhaj  
 Plaintiff's Signature

Nasibe      H-      Alhaj  
 First Name      Middle Initial      Last Name

K-F-P-C      OmH  
 Prison Address

600 East 125th Street New York NY 10007  
 County, City      State      Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: 12-17/2019

V. STATEMENT OF CLAIM

Place(s) of occurrence: N.F.P.C. 4/West

Date(s) of occurrence: June 6.12.2019 8:30 PM

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

I know when the senior told Andron's Drmosat put me in 4west for no reason with phone restricted even from the social worker to call my family to New York states then that time I was in 4west like its happening at 8-10 2019 8:00 pm Mr. Louis Agosta was in front of me looking at me I said what soup. he said wat soup And. disappear from me And he was behind me my Back And I see the stars have a throw A parish - in my right ear I see the stars And amoon in my head And waiting for 3 or 6 parish to my head. stttr And shavteau waiting And Donald Laporte And richard A 144 amoah. Emmanuel Goosby - And chrit Yves Dabel - Denise Williams And Derrick wilder Arthur canton And melvin messy Tyra Boone letter 6.12.2019 pm I was what shing ariet in the hallways And mr Dixon slepped me in the my Pais I have peing assaults 4 times from patient Louis Agosta And Dexen Louis Agosta he post be in music Room order from Doctors And Dexen he was in out from cur Bathroom how long I be washing my

so if you order I have being assaults  
And eat in left hand thank you

#### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Injuries eat in my hand. I lepped  
panshing me I have being hurt  
from Dr. Musqat later with no was the  
phone to call my lawyer order from Gene  
Teller And no justice center call.  
restreected.

#### VI. RELIEF

State briefly what money damages or other relief you want the court to order.

I need 10-000-00 dollar for my  
panshment

19-cv 6072 (LGS) بسم الله الرحمن الرحيم 12-16, 2019

Hillo And good morning in the name of Allah -

Dear united state court of Appeal

your onar all this names is correct  
And its Happen From Dr Maset to Lied  
And put me in 4west And senior ms twiler  
~~also~~ also no phone call to my lawyer And.  
Jastic center call And I have ingerd in 4west

the two painte assault me And. they  
no every thing in ms paper

And- look inet thank you

NagibeAlhaj 646 672 6819

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RECEIVED  
2019 DEC 23 AM 8:43  
CLERK'S OFFICE  
U.S. COURT OF APPEALS

19 cv 0672



12-9-2019

STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

Writer's Direct Dial: (212) 416-6165

October 4, 2019

By ECF

Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
Thurgood Marshall United State Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Nagibe Al-Haj v. Kirby Forensic Psychiatric Center, et al.*  
19-CV 6072 (LGS)

Dear Judge Schofield:

I write in response to the Court's request in its Order of Service dated August 7, 2019 that this Office ascertain the identities of the SHTAs who were present during the alleged patient assaults on Plaintiff that occurred on June 10, 2019 at approximately 8:00 pm, June 14, 2019 at approximately 8:30 pm, June 12, 2019 in the p.m., and June 18, 2019 at approximately 7:15 am.

The information available to this Office indicates that on June 9, 2019, Plaintiff was assaulted by another patient. The SHTAs present in the dayroom at the time were Shanteau Watkins and Ronald LaPorte. The Senior SHTA assigned at the time was Richard Akuamoah. On June 12, 2019, Plaintiff was assaulted by another patient. SHTAs Ronald LaPorte, Emmanuel Goosby, and Chrit-Yves Dabel were working at the time. The Senior SHTA assigned at the time of the incident was also Richard Akuamoah. On June 14, 2019, Plaintiff was involved in an altercation with another patient in the Day Room. SHTAs Denise Williams and Duvens Lepinasse were in the Day Room at the time. The Senior SHTA assigned at the time was Derrick Wilder. On June 18, 2019, Plaintiff was involved in another altercation with a patient. SHTAs Arthur Canton, Derek Davis, and Melvin Massy were in the Day Room at the time of this incident. The Senior SHTA assigned at the time was Tyra Boone.